GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Water Resources Department- OS.No.137/2009 filed by M/s Sri Krishna Engineering Co., and others represented by Sri Bommireddy Sai Rama Rao, S/o Surya Rao, Rajahmundry for paying interest on the deposits kept by the Dept. and released with abnormal delay – Sanction for an amount of Rs. 7.00 Lakhs towards payment of the above decree amount along with further interest and suit cost –Orders-Issued.

WATER RESOURCES (Proj.I.A1) DEPARTMENT

G.O.RT.No. 243 **Dated: 07-04-2016**

Read:-

From the CE, GDS, Dowlaiswaram, Lr.No. CE/GDS/DWM/SA1/49 Govt dated 15-03-2014, 01-02-2016.

ORDER:

In the reference read above, the Chief Engineer, GDS, Dowlaiswaram has submitted that M/s Sri Krishna Engineering Co., and others have executed the work "Construction foundation and Super Structure of Anicut across Thammileru River near Vijayarai in W.G.District under Superintending Engineer, Irrigation Circle, Eluru Agreement No.11 SE/1994-95, dt.12.11.1994 with a contract period of 12 months from the date of Agreement. But the Contract Agency has completed the work actually by 17.02.2000. As the final bill payment was not made to the contract agency, they have approached Hon'ble High Court vide WP No.6084/2004 and the Hon'ble High Court have given directions on 05.01.2007 to this Department to settle the final bill and also consider to refund EMD and Addl.Security Deposits pending with Department within a period of 4 weeks. But the amount of Rs.5,94,600/- which was kept with Department was released on 05.06.2007.

2. As the amount was kept upto 06/2007 and paid lately, the contract agency have approached Additional Senior Civil Judge, W.G.District, Eluru in OS No.137/2010 for paying interest on the amount of Rs.5,94,600/- for late payment. The Additional Senior Civil Judge, W.G.District, Eluru have not considered the Departmental arguments and ordered on 12.04.2013 to pay Rs.3,52,000/- from 01.11.2000 to 05.06.2007 and there after interest at 6% per annum till realization on Rs.5,94,600/-.

3. The petitioner has also filed Executive Petition in the Hon'ble Additional Senior Civil Judge Court, Eluru to attach the schedule properties of the District Collector, West Godavari, Eluru and Executive Engineer, Irrigation Division, Eluru. The Chief Engineer, Godavari Delta System has, therefore, requested the Government to issue necessary orders for Rs. 7.00 Lakhs towards payment of the above decree amount along with further interest and suit cost for favour of arranging payment to the petitioner and to avoid attachment of schedule property of District Collector, West Godavari, Eluru and Executive Engineer, Irrigation Division, Eluru.

4. Government after careful examination hereby accord sanction for an amount of Rs 7.00 lakhs towards payment of the above decree amount along with further interest and suit cost for favour of arranging payment to the petitioner and to avoid attachment of schedule property of District Collector, West Godavari, Eluru and Executive Engineer, Irrigation Division, Eluru.

5. The expenditure shall be debitable from the Head of Account "4701 COL on M&MI (03) Medium Irrigation—Commercial—MH 199 Vijayarai Anicut scheme—GH-11 NSP—26 D&A—530-531 OE charged".

6. The Chief Engineer, GDS, Dowlaiswaram shall take necessary action accordingly.

PTO

7. This order issues with the concurrence of the Finance (FMU-WR.I) Department vide their U.O.No.47027/77/FMU-WRD I/2016, dated. 06-03-2016.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Engineer, GDS, Dowlaiswaram
Copy To:
Finance (FMU-WR.I) Department
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER